Preamble Exhibit 1 PHASE II SOURCE DECISIONS

======= <u>WAT</u>			
LOW LOW / LIKELIHOOD/ INSUFFICIENT	NATIONAL ASSESSMENT	 HIGH LIKELIHOOD	(/

NOT COVERED BY RULE

INFORMATION

- Non-Phase I municipalities located outside Urbanized Areas
- All construction sites that result in the land disturbance less than 1 acre
- Non-Phase I nonmunicipal sources.

BUT TARGETED IF:

- Watershed Plan,
 TMDL*, or other
 local water quality
 assessment defines
 need to cover MS4s
 and construction sites
 not currently
 regulated.
- Where EPA or the State determines that the storm water discharge contributes to a violation of a water quality standard or is a significant contributor of pollutants to the waters of the United States.

WATERSHED/TMDL/ WATER QUALITY <===<u>ASSESSMENT</u>===>

* EPA will continue to require States to comply with their TMDL implementation schedules.

COVERED BY RULE

- All Phase II
 municipalities located
 inside Urbanized
 Areas
- All construction sites that result in the land disturbance of greater than or equal to 1 acre and less than 5 acres.

BUT WAIVERS FOR:

- Small MS4s serving jurisdictions with a population of less than 1,000 and small construction activities where:

 a watershed plan or TMDL assessment addresses the pollutants of concern.
- Small construction activities where:
 (1) activity during negligible rainfall period; or (2) low soil loss on case-by-case determination.